

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	09/994465	Docket Number	DT.0103-CP1
Filed	11/26/01	Group Art Unit	3629
Examiner	RICHARD WOO	Customer No.	23669
Application Title	INTERFACE FOR SELECTIVE MERCHANDISE PRICE OPTIMIZATION		
First Named Inventor	JOHN CLOSE		

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Pages: 848 (including this cover sheet)

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Respectfully submitted,
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/ Richard K. Huffman/

By _____

RICHARD K. HUFFMAN, P.E.
Registration No. 41,082
Tel: (719) 575-9998

08/08/2005

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Dear Sir:

Attached hereto is Form PTO-1449 listing documents believed relevant to the subject application. It is respectfully requested that the examiner review the information disclosed herein in detail, independently evaluate each item carefully in the consideration of the pending claims, and return an initialed copy of each form to the undersigned practitioner.

This disclosure statement should not be construed as a representation that a search has been made, that no other material information as defined in 37 CFR 1.56(a) exists, or as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR 1.56(b) or is available as a reference under 35 U.S.C. §102 *et seq.* Applicant reserves the right to swear behind or otherwise disprove the allege "prior" nature of any art cited should the facts support and the situation warrant such an action.

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures §609. If for some reason the examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

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				Examiner Name	RICHARD WOO
				Attorney Docket Number	DT.0103-CP1
Sheet	1	of	6		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pagas, Columns, Lines, Where Relevant Passages or Relavant Figures Appear
		6308162	10-23-2001	Ouimet et al.	
		5063506	11-05-1991	Brockwell et al.	
		5117354	05-26-1992	Long et al.	
		5249120	09-28-1993	Michael Foley	
		5377095	12-27-1994	Maeda et al.	
		5712985	01-27-1998	Lee et al.	
		5822736	10-13-1998	Hartman et al.	
		5873069	02-16-1999	Reuhl et al.	
		5878400	03-02-1999	Thomas J. Carter, III	
		5918209	06-29-1999	Campbell et al.	
		5987425	11-16-1999	Hartman et al.	
		6009407	12-28-1999	Amit Garg	
		6029139	02-22-2000	Cunningham et al.	
		6032123	02-29-2000	Joel Jameson	
		6032125	02-29-2000	Hideyuki Ando	
		6078893	06-20-2000	Ouimet et al.	
		6125355	09-26-2000	Bekaert et al.	
		6205431	03-20-2001	Willemain et al.	
		5459656	10-17-1995	Fields et al.	
		5299115	03-29-1994	Fields et al.	
		5799286	08-25-1998	Morgan et al.	
		5732401	03-24-1998	David W. Conway	
		6725208	04-20-2004	Hartman et al.	
		6684193	01-27-2004	Chavez et al.	
		20030110072	06-12-2003	Delurgio et al.	

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		Number-Kind Code ^{2 (if known)}			
		6553352	04-22-2003	Delurgio et al.	
		6456986	09-24-2002	Boardman et al.	
		6397193	05-28-2002	Walker et al.	
		6341269	01-22-2002	Dulaney et al.	
		6341268	01-22-2002	Walker et al.	
		6173345	01-09-2001	William A. Stevens	
		6134534	10-17-2000	Walker et al.	
		6052686	04-18-2000	Fernandez et al.	
		6044357	03-28-2000	Amit Garg	
		5933813	08-03-1999	Teicher et al.	
		5790643	08-04-1998	Gordon et al.	
		5765143	06-09-1998	Sheldon et al.	
		3017610	01-16-1962	Auerbach et al.	
		20020165834	11-07-2002	Delurgio et al.	

NON PATENT LITERATURE DOCUMENTS				
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	AA	ROSSI et al. "Making Sense of Scanner Data." <i>Harvard Business Review</i> . Reprint F00205. 2000.		
	AB	BUCKLIN et al. "Brand Choice, Purchase Incidence, and Segmentation: An Integrated Modeling Approach." <i>Journal of Marketing Research</i> . May 1992, pp. 201-215. VOL. XXIX.		
	AC	SMITH et al. "Bayesian Semiparametric Regressions: An Exposition and Application to Print Advertising." January 3, 1997. Australian Graduate School of Management, University of New South Wales, Sydney 2052, Australia.		
	AD	BLATTBERG et al. "Manage Marketing by the Customer Equity." <i>Harvard Business Review</i> . July-August 1996. pp.136-144.		

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	AE	CHRISTEN et al. "Using Market-Level Data to Understand the Effectiveness of Promotional Activities." December 22, 1995.		
	AF	ROSS LINK. "Are Aggregate Scanner Data Models Biased?" <i>Journal of Advertising Research</i> . September/October 1995. pp.RC8-RC12, ARF.		
	AG	RUSSELL et al. "Understanding Brand Competition Using Micro and Macro Scanner Data." <i>Journal of Marketing Research</i> . VOL. XXXI (May 1994). Pp. 289-303.		
	AH	JOHN PHILIP JONES. "The Double Jeopardy of Sales Promotions." <i>Harvard Business Review</i> . September - October 1999. pp. 145-152.		
	AI	BUZZELL et al. "The Costly Bargain of Trade Promotion." <i>Harvard Business Review</i> . Reprint 90201. March-April 1990. pp. 1-9		
	AJ	CURRY et al. "BVAR as a Category Management Tool: An Illustration and Comparison with Alternative Techniques." <i>Journal of Forecasting</i> . VOL. 14, ISS NO. 3 (1995). Pp. 181-199.		
	AK	HOCH et al. "Store Brands and Category Management." The Wharton School, University of Pennsylvania. March 1998. pp. 1-38.		
	AL	HARDIE et al. "Attribute-based Market Share Models: Methodological Development and Managerial Applications." The Wharton School, University of Pennsylvania. Working Paper 98-009, pp. 1-48. 1998.		
	AM	ALAN MERCER. "Non-Linear Price Effects." <i>Journal of the Market Research Society</i> . Dated 7/1/96. p. 227.		
	AN	ROCKNEY G. WALTERS. "Assessing the Impact of Retail Price Promotions on Product Substitution, Complementary Purchase and Interstore Sales Displacement." <i>Journal of Marketing</i> . Vol. 55, April 1991. pp. 17-28.		
	AO	BLATTBERG et al. "How Promotions Work." <i>Marketing Science</i> . Vol. 14, No. 3, Part 2 of 2. 1995. pp. G122-G132.		
	AP	GUADAGNI et al. "A Logit Model of Brand Choice Calibrated on Scanner Data." <i>Marketing Science</i> . Vol. 2, No. 3, Summer 1983. pp.203-238.		
	AQ	COOPER et al. "Standardizing Variables in Multiplicative Choice Models." <i>Journal of Consumer Research</i> . Vol. 10. June 1983. pp 96-108.		
	AR	BRIDGES et al. "A High-Tech Product Market Share Model with Customer Expectations." <i>Marketing Science</i> . Vol. 14, No. 1, Winter 1995. pp. 61-81.		
	AS	BATSELL et al. "A New Class of Market Share Models." <i>Marketing Science</i> . Vol. 4, No. 3, Summer 1985. pp. 177-198.		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/994465
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				Group Art Unit	3629
				Examiner Name	RICHARD WOO
Sheet	4	of	6	Attorney Docket Number	DT.0103-CP1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AT	JAGMOHAN S. RAJU. "The Effect of Price Promotions on Variability in Product Category Sales." <i>Marketing Science</i> . Vol. 11, No. 3. Summer 1992. pp. 207-220.	
	AU	ROBERT J. DOLAN. "How Do You Know When the Price is Right?" <i>Harvard Business Review</i> . September - October 1995. pp. 5-11.	
	AV	FUSUN GONUL. "Modeling Multiple Sources of Heterogeneity in Multinomial Logit Models: Methodological and Managerial Issues." <i>Marketing Science</i> . Vol. 12, No. 3. Summer 1993. pp. 213-229.	
	AW	SCHINDLER et al. "Increased Consumer Sales Response through Use of 99-Ending Prices." <i>Journal of Retailing</i> . 6/1/96. p. 187.	
	AX	MULHERN et al. "The Relationship Between Retail Price Promotions and Regular Price Purchases." <i>Journal of Marketing</i> . Vol. 59, October 1995. pp. 83-90.	
	AY	DEIGHTON et al. "The Effects of Advertising on Brand Switching and Repeat Purchasing." <i>Journal of Marketing Research</i> . Vol. XXXI, February 1994. pp. 28-43.	
	AZ	SUNIL GUPTA. "Reflections on 'Impact of Sales Promotions on When, What and How Much to Buy.'" <i>Journal of Marketing Research</i> . Vol. XXX, November 1993. pp. 522-24.	
	BA	RICHARD A. BRIESCH. "Does It Matter How Price Promotions Are Operationalized?" <i>Marketing Letters</i> . 8:2 (1997). Pp. 167-181.	
	BB	KIM et al. "Modeling the Distribution of Price Sensitivity and Implications for Optimal Retail Pricing." <i>Journal of Business & Economic Statistics</i> . July 1995. Vol. 13, No. 3	
	BC	DILLON et al. "A Segment-level Model of Category Volume and Brand Choice." <i>Marketing Science</i> . Vol. 15, No. 1, 1996. pp. 38-59.	
	BD	HOCH et al. "Determinants of Store-Level Price Elasticity." <i>Journal of Marketing Research</i> . Vol. XXXII (February 1995). Pp. 17-29.	
	BE	ABRAHAM et al. "An Implemented System for Improving Promotion Productivity Using Store Scanner Data." <i>Marketing Science</i> . Vol. 12, No. 3, Summer. 1993.	
	BF	FADER et al. "Modeling Consumer Choice Among SKUs." <i>Journal of Marketing Research</i> . Vol. XXXIII (November 1996.) pp. 442-452.	
	BG	"PCT International Search Report" Application Number PCT/US03/30488. Mailed January 28, 2004.	
	BH	"PCT International Search Report" Application Number PCT/US02/36710. Mailed July 21, 2003.	

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Sheet	5	of	6		

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	BI	"PCT International Search Report" Application Number PCT/US02/14977. Mailed May 5, 2003.	
	BJ	"Report of Novelty Search" by Patentec. Dated July 25, 2001.	
	BK	"Report of Novelty Search" by Patentec. Dated February 9, 2001.	
	BL	BOATWRIGHT et al. "Account-Level Modeling for Trade Promotion: An Application of a Constrained Parameter Hierarchical Model." <i>Journal of the American Statistical Association</i> . Vol. 94, No. 448. December 1999. pp. 1063-1073.	
	BM	MONTGOMERY et al. "Estimating Price Elasticities with Theory-Based Priors." <i>Journal of Marketing Research</i> . Vol. XXXVI. November 1999. pp. 413-423.	
	BN	<i>Merriam Webster's Collegiate Dictionary</i> . 10th Edition. Pg 585. Merriam-Webster Incorporated. 1999.	
	BO	HERNANDEZ et al. "Real-World Data is Dirty: Data Cleansing and the Merge/Purge Problem." <i>Data Mining and Knowledge Discovery</i> . Vol. 2, Issue 1. January 1998.	
	BP	ALAN L. MONTGOMERY. "Creating Micro-Marketing Pricing Strategies Using Supermarket Scanner Data." <i>Marketing Science</i> . Vol. 16, No. 4, 1997. pp. 315-337.	
	BQ	JOHN CORNELIUS YOEMAN JR. "The Optimal Offering Price for Underwritten Securities." 1993. Volume 55/01-A of <i>Dissertation Abstracts International</i> . Page 4743 (Abstract Only).	
	BR	BLATTBERG et al. "Shrinkage Estimation of Price and Promotional Elasticities: Seemingly Unrelated Equations." <i>Journal of the American Statistical Association</i> . Vol. 86, No. 414. June 1991. pp. 304-315.	
	BS	DYER et al. "Case Studies in Marketing Decisions Using Expert Choice." <i>Decision Support Software</i> . 1988. Pages 2-7, 73-108.	
	BT	ARNOLD ZELLNER. "On Assessing Prior Distributions and Bayesian Regression Analysis with G-Prior Distributions." Elsevier Science Publishers. 1986. pp. 233-243.	
	BU	A.F.M. SMITH. "A General Bayesian Linear Model." University of Oxford. April 1972.	
	BV	LINDLEY et al. "Bayes Estimates for the Linear Model." University College. December 1971.	
	BW	TIAO et al. "On the Bayesian Estimation of Multivariate Regression." University of Wisconsin. January 1964.	
	BX	ARNOLD ZELLNER. "An Efficient Method of Estimating Seemingly Unrelated Regressions and Tests for Aggregation Bias." University of Wisconsin. June 1962.	

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	BY	CERF et al. "A Protocol for Packet Network Intercommunication." IEEE Transactions on Communications COM-22. May 1974. Pages 637-648.	
	BZ	T BERNERS-LEE. "Hypertext Markup Language 2.0 Working Papers." Nov. 1995. Pages 1-3.	
	CA	D FLANAGAN. "JavaScript: The Definitive Guide, 3rd Edition." published by O'Reilly in June 1998. ISBN: 1-56592-392-8. Section 14.8.	
	CB	JD LITTLE. "BRANDAID: A Marketing-Mix Model, Part 1: Structure." Operations Research. Vol 23, No. 4. July-August 1975. pp. 628-655.	
	CC	M. ABRAHAM. "Promoter: An Automated Promotion Evaluation System." Marketing Science. 1987. pp. 101-123.	

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